

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re)	PROMESA
)	Title III
)	
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,)	No. 17 BK 3283-LTS
)	
)	(Jointly Administered)
)	
As a representative of)	
)	
THE COMMONWEALTH OF PUERTO RICO <i>et al.</i>,)	Re: Dkt. No. 11729
)	
Debtors.¹)	Hearing date: March 4, 2020 at 9:30 a.m. (Atlantic Standard Time)
)	

**INFORMATIVE MOTION OF THE FEE EXAMINER PURSUANT TO ORDER
REGARDING PROCEDURES FOR ATTENDANCE, PARTICIPATION, AND
OBSERVATION OF MARCH 4-5, 2020 OMNIBUS HEARING**

The Fee Examiner appointed in these proceedings files this Informative Motion of the Fee Examiner Pursuant to *Order Regarding Procedures for Attendance, Participation and Observation of March 4-5, 2020 Omnibus Hearing* [Dkt. No. 11729]. In support, the Fee Examiner respectfully states that:

1. On February 26, 2020, the Fee Examiner filed the *Fee Examiner's Report on Uncontested Professional Fee Matters for Consideration in Connection with the March 4, 2020*

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the: (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and, (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Omnibus Hearing [Dkt. No. 11785] (the “**Seventh Interim Report**”) recommending interim and final fee applications for the Court’s approval on an uncontested basis.

2. The Seventh Interim Report outlines the Fee Examiner’s recommendations for the Court’s approval, with adjustments, of a group of interim applications for the Seventh Interim Fee Period (June 1, 2019 to September 30, 2019) as well as interim applications from prior fee periods and one final fee application previously deferred.

3. The Seventh Interim Report attached a proposed order approving the uncontested fee applications (the “**Proposed Order**”). Counsel also submitted the Proposed Order to chambers in MS Word format pursuant to the Tenth Amended Notice, Case Management and Administrative Procedures [Dkt. No. 8027-1].

4. Pursuant to the Second Amended Order Setting Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Dkt. No. 3269], if no objections are timely filed, fee applications may be approved by Court order without a hearing. *Id.* at 2(j) and the Court has done so in the past.

5. Cobra Acquisitions LLC (“Cobra”) filed the *Omnibus Objection to Fee Applications Filed by Professionals and Request to Increase Holdback Amount* [Dkt. No. 9419] (the “**Cobra Fee Objection**”) on December 4, 2019, stating a generic and unsubstantiated objection to 19 interim fee applications, five of which are recommended for the Court’s approval. *See* Seventh Interim Report at 5-8.

6. AAFAF filed the *Reply of Puerto Rico Fiscal Agency and Financial Authority to Cobra Acquisition LLC’s Omnibus Objection to Fee Applications Filed By Professionals and Request to Increase Holdback Amount* [Dkt. No. 11732] (the “**AAFAF Cobra Reply**”) on February 25, 2020.

7. The Oversight Board filed the *Reply of Financial Oversight and Management Board to Cobra Acquisition LLC's Omnibus Objection to Fee Applications Filed by Professionals and Request to Increase Holdback Amount* [Dkt. No. 11775] (the “**FOMB Cobra Reply**”) on February 26, 2020.

8. As outlined in the Seventh Interim Report and as further addressed in the AAFAF Cobra Reply and the FOMB Cobra Reply, the Fee Examiner recommends that the Court overrule the Cobra Fee Objection—at least as that objection relates to the five interim fee applications now recommended for Court approval.

9. Nonetheless, if the Court refrains from entering the Proposed Order pending argument on the Cobra Fee Objection at the March 4, 2020 omnibus hearing, either or both the Fee Examiner and counsel, Katherine Stadler of Godfrey & Kahn, S.C., will appear by video teleconference in Courtroom 17C of the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, NY 10007. The Fee Examiner's Puerto Rico counsel, Eyck Lugo of Edge Legal Strategies, PSC, is unable to attend the omnibus hearing either in person or by video teleconference.

Dated this 27th day of February, 2020.

WE HEREBY CERTIFY that on this date, we electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system that will send notification of such filing to all attorneys of record registered in the use of the CM/ECF system.

EDGE Legal Strategies, PSC

s/ Eyck O. Lugo

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